



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

May 31, 2016

REQUEST TO BE FILED UNDER SEAL

BY HAND

The Honorable Gabriel W. Gorenstein
United States Magistrate Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: United States v. Abdulrahman El Bahnasawy, 16 Mag. 3302

Dear Judge Gorenstein:

(U) On May 23, 2016, the Court issued a sealed order (the "Order") directing that the above-referenced case be sealed and docketing delayed for two weeks, in order to avoid compromising an ongoing law enforcement investigation relating to an imminent terrorist threat. As set forth in the Government's sealed application in support of the Order, sealing and delayed docketing is necessary to preserve the FBI's ongoing investigation of—and potential opportunity to arrest—the defendant's principal co-conspirator ("CC-1"), who has expressed his desire to travel from Pakistan to New York City to participate in terrorist attacks coinciding with the Islamic holy month of Ramadhan, which begins this year on June 5. In accordance with the Order, the Government respectfully submits this letter to provide an interim update to the Court addressing the continuing need to maintain this case under seal and delay docketing.¹

[REDACTED]

¹ (U) On May 27, 2016, the Court directed Government counsel to submit the interim update required by the Order on or before May 31, 2016.

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(U) As noted above, the Order provides for sealing and delayed docketing until June 6, 2016. On or prior to that date, the Government will submit another letter update to the Court regarding the status of the investigation of CC-1 and the need for continued sealing and delayed docketing.

(U) The Government is providing defense counsel with a redacted copy of this letter, which redacts only the information set forth in the second and third paragraphs above regarding the status of the FBI's ongoing investigation of CC-1, the defendant's principal co-conspirator. Defense counsel has advised the Government that they do not object to the redaction of such information regarding the ongoing investigation.

(U) Should the Court have any questions regarding this letter, the undersigned are available to discuss further.

Respectfully submitted,

PREET BHARARA
United States Attorney for the
Southern District of New York

By: /s/ George D. Turner
Negar Tekeci / George D. Turner
Assistant United States Attorneys
(212) 637-2482 / 2562

[REDACTED]